

<b>TO LAW ENFORCEMENT OFFICER:</b> WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person (described on the reverse side), and to seize, secure, inventory, and make return according to the Pennsylvania Rules of Criminal Procedure, the items described on the reverse side.	
<input checked="" type="checkbox"/> This Warrant should be served as soon as practicable but in no event later than <u>2:40 P.M.</u> <u>1/25/96</u> and shall be served only during daytime hours of 6 A.M. to 10 P.M.	<input type="checkbox"/> This Warrant should be served as soon as practicable but in no event later than <u>_____</u> <u>_____</u> <u>19__</u> and may be served anytime during day or night.
Issued under my hand this <u>23rd</u> day of <u>January</u> , 19 <u>96</u> , at <u>2:40 P.M.</u> o'clock. (Issue time must be stated)	Issued under my hand this <u>_____</u> day of <u>_____</u> , 19 <u>__</u> at <u>_____</u> M. o'clock. (Issue time must be stated)
(SEAL) <u>Joseph A. Velicer</u> (Signature of Issuing Authority)	(SEAL) <u>Eric PA</u> (Signature of Issuing Authority)
Mag. Dist. No. <u>00104</u> Office Address <u>400 East 20th St. Erie, PA</u> Phone No. <u>815-51-1512</u>	Mag. Dist. No. <u>_____</u> Office Address <u>_____</u> Phone No. <u>_____</u>
Duty Station/County <u>100-2000</u>	Title of Issuing Authority <u>Deputy District Attorney</u>

I warrant that the facts and circumstances set forth in the foregoing are true and correct to the best of my knowledge and belief, and that the issuance of this warrant is necessary for the proper administration of justice. If the facts and circumstances set forth in the foregoing are not true and correct, or if the issuance of this warrant is not necessary for the proper administration of justice, I warrant that I will pay the costs of this warrant and the costs of the return thereon, and I will be liable for the costs of the return thereon.





Commonwealth of Pennsylvania

COUNTY OF Eriess: **SEARCH WARRANT**  
AND AFFIDAVIT

Det. James D. Washburn 626 State St. Erie PA 814 870-1150

(Name of Affiant)

(Police Department or address of private Affiant)

(Phone No.)

WARRANT CONTROL NO

J 15086

DATE OF APPLICATION

1/23/96

INVENTORY NO

G 24712

being duly sworn (or affirmed) before me according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at particular premises or in the possession of particular person as described below.

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (be as specific as possible):

A black handgun

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSONS TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

The residence and curtilage of 2304 French St. which is a green two and a half story with white trim with a block porch

NAME OF OWNER, OCCUPANT, OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

The Church of Mt. Zion c/o Donald Durham

VIOLATION OF (Describe conduct or specify statute):

Rape 3121 2; Simple Assault 2701 a3; Reckless Endangerment 2705;

Unlawful Restraint 2902 2; Involuntary Deviate Sexual Intercourse 312322; Indecent Assault

3126 a1; Aggravated Indecent Assault 3125 a

DATE OF VIOLATION

1/23/96

PROBABLE CAUSE BELIEF IS BASED ON THE FOLLOWING FACTS AND CIRCUMSTANCES:

During the course of investigating a Rape which occurred 1/23/96 the description of a car and the rape suspect were given out to all cars. Car 102 Officer Pettermann and Noble spotted the car in the 2300 block of French St. The victim described the house as being green in color and that the husband's used to reside there. After checking the computer the address of 2304 French was confirmed. A check of the residence produced a Warren Durham Jr. who the victim positively identified as the man who had held the gun on her and had assaulted her.

A search of the residence listed as needed to look for the gun as Warren Durham Jr. had been located in the house. This search warrant is necessary to search and seize any handguns fitting the description. I believe this information to be true and correct.

ATTACH ADDITIONAL PAPER (5) COPIES IF NECESSARY. ☐ CHECK HERE IF ADDITIONAL PAPER IS USED.RESULT  
OF  
SEARCH

DATE AND TIME OF SEARCH

1-23-96 14:23

☐ A.M.☒ P.M.

ARREST

☐ YES ☐ NO

JUDGE'S DISPOSITION

☐ DISC. ☐ HELD FOR COURT☐ FURTHER HEARING☐ FINED OR COMMITTED

PROPERTY SEIZED

☒ YES ☐ NO

(If "yes" list inventory on separate form, R2008 and enter control number(s) here

G 24712

GIVE BRIEF  
NARRATIVE  
OF WHAT  
HAPPENED

SIGNATURE OF PERSON SEIZING PROPERTY

BADGE NO.

OTHER OFFICERS PARTICIPATING IN SEARCH:

Det James D. Washburn

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DiVulio, J. M. L. M., P. D. R. K. I. N., E. S. P. A. G. E. L.

Det James D. Washburn

626 State St. Erie PA

176

CID

Signature of Affiant

Address of Private Affiant

Badge No.

District/Unit

Sworn to and subscribed before me this

23

day of

January

1996. Office

460 East 24th

Address

Erie, PA 16504

Signature of Issuing Authority

(SEAL) Mag. Dist. No.

DL-1-04



38661

TO LAW ENFORCEMENT OFFICER: WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person (described on the reverse side) and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure, the items described on the reverse side.

☒ This Warrant should be served as soon as practicable but in no event later than 207 ☐ A.M. ☒ P.M. 1/25, 1996 and shall be served only during daytime hours of 6 A.M. to 10 P.M.

Issued under my hand this 23rd day of January, 1996 at 2:09 P.M. o'clock. (Issue time must be stated)

(SEAL) Joseph D. Wilbur (Signature of Issuing Authority)

Mag. Dist. No. 10-004 Office Address 400 East 24th Erie, PA Phone No. 857-4522

Date Commission Expires 1-3-2000 Title of Issuing Authority District Justice

The issuing authority shall specify a date not later than two (2) days after issuance, P.S. Crim. P. 2005(d).  
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